



DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 3342-025]

Briar Hydro Associates, LLC; Notice of Application Tendered for Filing with the Commission and Soliciting Additional Study Requests and Establishing Procedural Schedule for Relicensing and a Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

- a. Type of Application: New License
- b. Project No.: 3342-025
- c. Date Filed: November 30, 2022
- d. Applicant: Briar Hydro Associates
- e. Name of Project: Penacook Lower Falls Hydroelectric Project
- f. Location: On the Contoocook River, in City of Concord, and Town of Boscawen, Merrimack County, New Hampshire. No federal lands are located within the project boundary.
- g. Filed Pursuant to: Federal Power Act 16 U.S.C. 791(a) - 825(r)
- h. Applicant Contact: Andrew J. Locke, Essex Hydro Associates, LLC, 55 Union Street, Boston, MA 02108; (617)357-0032; e-mail – alocke@essexhydro.com.
- i. FERC Contact: Jeanne Edwards at (202) 502-6181; or jeanne.edwards@ferc.gov.
- j. Cooperating agencies: Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also

intervene. *See*, 94 FERC ¶ 61,076 (2001).

- k. Pursuant to section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the date of filing of the application, and serve a copy of the request on the applicant.
- l. Deadline for filing additional study requests and requests for cooperating agency status: January 29, 2023.

The Commission strongly encourages electronic filing. Please file additional study requests and requests for cooperating agency status using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: **Penacook Lower Falls Project (P-3342-025)**.

- m. The application is not ready for environmental analysis at this time.
- n. The Penacook Lower Falls Project consists of the following existing facilities: (1) an impoundment with a surface area of 8.4-acres at an elevation of 278.6 feet National Geodetic Vertical Datum 1929; (2) a concrete dam with a 15-foot-long, 70-foot-wide forebay, a 106-foot-long, gated spillway, a 316-foot-long auxiliary spillway, and a 140-foot-long, gated diversion structure; (3) a 23.3-foot-long, 46.1-foot-high trash rack with a 3.625-inch clear spacing; (4) a 35-foot-wide by 97.5-foot-long concrete powerhouse, integral with the spillway, containing one Kaplan style turbine-generator unit with a capacity of 4.6 megawatts; (5) a 700-foot-long, 45-foot wide tailrace; (6) transmission facilities consisting of a 4.16/34.5 kilovolt (kV) transformer and 200-foot-long, 34.5-kV transmission line; and (7) other appurtenances.

The project operates in a run-of-river mode. The project had an average annual generation of 20,198,820 kWh kilowatt-hours between 2012 and 2021. No changes in the project operation are proposed.

- o. Copies of the application may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the

document (P-3342). For assistance, contact FERC Online Support at FERCOOnlineSupport@ferc.gov or call toll-free, (866) 208-3676 or (202) 502-8659 (TTY).

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects.

- p. Procedural schedule and final amendments: The application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Issue Deficiency Letter (if necessary)	February 2023
Request Additional Information (if necessary)	March 2023
Issue Acceptance Letter	May 2023
Issue Scoping Document 1 for comments	May 2023
Issue Scoping Document 2 (if necessary)	August 2023
Issue Notice of Ready for Environmental Analysis	August 2023

- q. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: December 14, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022-27589 Filed: 12/19/2022 8:45 am; Publication Date: 12/20/2022]